

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X		:
ASHLEY S. EBANKS,		:
		:
Plaintiff,		:
		:
-v-		:
		:
ANDRE L. BROWN and PERFECT TIMING		:
TRANSPORT LLC,		:
		:
Defendants.		:
		:
-----X		:

25-CV-1181 (JMF)

ORDER


JESSE M. FURMAN, United States District Judge:

On February 10, 2025, Defendants filed a Notice of Removal in which they invoked the Court’s subject-matter jurisdiction pursuant to 28 U.S.C. § 1332. *See* ECF No. 1, ¶ 8. Although Defendants state that there is “complete diversity of citizenship,” they merely allege some of the parties’ states of residence, not their states of citizenship. *Id.* ¶¶ 6-7. This is not enough. *See, e.g., Davis v. Cannick*, No. 14-CV-7571 (SJF) (SIL), 2015 WL 1954491, at *2 (E.D.N.Y. Apr. 29, 2015) (“[A] conclusory allegation in the Complaint regarding diversity of citizenship does not extinguish the Court’s responsibility to determine, on its own review of the pleadings, whether subject matter jurisdiction exists.” (internal quotation marks omitted)). For the purpose of diversity jurisdiction, “a statement of the parties’ residence is insufficient to establish their citizenship.” *Leveraged Leasing Admin. Corp. v. PacifiCorp Capital, Inc.*, 87 F.3d 44, 47 (2d Cir. 1996); *see also, e.g., Linardos v. Fortuna*, 157 F.3d 945, 948 (2d Cir. 1998) (“For purposes of diversity jurisdiction, a party’s citizenship depends on his domicile.”); *Canedy v. Liberty Mut. Ins. Co.*, 126 F.3d 100, 103 (2d Cir. 1997) (“[A]llegations of residency alone cannot establish citizenship . . .”).

Accordingly, no later than **February 20, 2025**, Defendants shall file an amended notice of removal properly alleging the *citizenship* of each party to this action. If, by that date, Defendants do not file an amended notice of removal establishing this Court’s subject-matter jurisdiction, the Court will remand the case without prejudice and without further notice to any party.

SO ORDERED.

Dated: February 13, 2025
New York, New York



JESSE M. FURMAN
United States District Judge